

09/132,156



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OFFICE OF PETITIONS

In re Patent No. 6,787,338 :
Issue Date: September 7, 2004 :
Application No. 09/132,156 : **DECISION ON PETITION**
Filed: August 11, 1998 :
Attorney Docket No. A-67724-8/RFT/SPL :

This is a decision on the "PETITION UNDER 37 CFR 1.183", filed October 4, 2004 (Certificate of Mailing dated September 29, 2004).

The petition under 37 CFR 1.183 is **GRANTED**.

An application may issue in the name of an assignee rather than the applicant if requested prior to issuance of a patent.¹ However, in the event the request is not made prior to issuance, a Certificate of Correction under 37 CFR 1.323 may be requested. A request for a Certificate of Correction under 37 CFR 1.323 to correct the assignee's name will not be granted unless a petition under 37 CFR 1.183 is granted. Such petition under 37 CFR 1.183 should include:

- (A) the petition fee required by 37 CFR 1.17(h);
- (B) a request that 37 CFR 3.81(a) be waived to permit the correct name of the assignee to be provided after issuance of the patent;
- (C) a statement that the failure to include the correct assignee name on the PTOL-85B was inadvertent; and
- (D) a copy of the Notice of Recordation of Assignment Document.

¹ See 37 CFR 3.81.

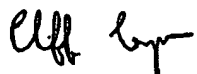
² MPEP 307.

Here, petitioner included the required \$130 petition fee, made a request that 37 CFR 3.81(a) be waived, stated that the failure to include the correct assignee name on the PTOL-85B was inadvertent, and included a copy of the "Notice of Recordation of Assignment Document".

The \$100 fee for the Certificate of Correction has been charged to Deposit Account No. 50-2319, as authorized..

The file is being forwarded to the Certificate of Corrections Branch for issuance of the requested Certificate of Correction.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions



PATENT
Attorney Docket No.: A-67724-8/RFT/SPL
Client Matter No.: 469322-00005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application/patent of:

Wittwer, et al.

Serial No.: 09/132,156

Filed: August 11, 1998

Patent No.: 6,787,338

Issued: September 7, 2004

For: *Method for Rapid Thermal Cycling
of Biological Samples*

Examiner: Marschel, A. H.

Group Art Unit: 1631

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Office of Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450

on

Signed:

9/29/04
Jessica Newlin

PETITION UNDER 37 CFR 1.183

Office of Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Patentee requests that a Certificate of Correction be issued due to correct an error in United States Letters Patent No. 6,787,338, issued September 7, 2004, as set forth in the attached PTO/SB/44 Certificate of Correction (also Form PTO-1050). Petitioners request that 37 CFR 3.81(a) be waived to permit the correct name of the assignee to be provided after issuance of the patent. The failure to include the correct assignee name on the form PTOL-85B was inadvertent and a copy of the Notice of Recordation of Assignment Document relating to this case is included.

The Commissioner is hereby authorized to charge the required Certificate of Correction fee (\$130.00), as well as any other fees deemed necessary, including extension fees, or credit any overpayment to Deposit Account No. 50-2319 (Our File/Matter Nos. A-67724-8/RFT/SPL/469322-00005).

Respectfully submitted,
DORSEY & WHITNEY LLP

By


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Filed Under 37 C.F.R. § 1.34(a)

Customer No. 32940

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DECEMBER 02, 1996



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/23/1996

REEL/FRAME: 8147/0007
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

UNIVERSITY OF UTAH

DOC DATE: 12/15/1995

ASSIGNEE:

UNIVERSITY OF UTAH RESEARCH FOUNDATION
210 PARK BUILDING
SALT LAKE CITY, UTAH 84112

SERIAL NUMBER: 08537612
PATENT NUMBER:

FILING DATE: 10/02/1995
ISSUE DATE:

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS